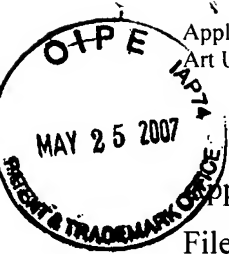


PAC



Application/Control Number: 10/792,354
Art Unit: 3671

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/792,354

Filed: Mar. 2, 2004

Applicant: Max Kadiu

Title: Shoring System

Examiner: Gary Hartmann

Cupertino, May 22, 2007

Mail Stop PETITIONS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Renewed Petition under 37 CFR 1.137(b)

Dear Sir or Madam:

This is a request for reconsideration of the decision on the petition, filed August 22, under 37 CFR 1.137(b) to revive the above-identified application.

The above-referenced petition is Dismissed by the Office of Petitions on May 17, 2007 under insufficient remuneration submitted by the Petitioner. Enclosed a check for the missing balance submitted by Petitioner for reconsidering the Decision of the Office.

Very respectfully,

Max Kadiu

The Applicant

Tel: 408-257-0604; Fax: 408-257-9199; E-mail: mkadiu@msn.com

Cc: Copy of the Letter of Office of Petitions.

Adjustment date: 05/29/2007 MGERREM1
08/25/2006 HOUTEMAI 00000037 10792354
01 FC:1999 -700.00 OP

05/29/2007 MGERREM1 00000002 10792354
01 FC:2453 750.00 OP

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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CUPERTINO, CA 95014

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MAY 17 2007

OFFICE OF PETITIONS

In re Application of
Max Kadiu
Application No. 10/792,354
Filed: March 2, 2004
Attorney Docket No.

ON PETITION

This is a decision on the petition, filed August 22, 2006, under 37 CFR 1.137(b) to revive the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "**Renewed Petition under 37 CFR 1.137(b)**." This is not final agency action within the meaning of 5 U.S.C. § 704.

The above-identified application became abandoned for failure to reply in a timely manner to the final Office action mailed December 12, 2005, which set a shortened statutory period for reply of three (3) months. No extension of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on March 13, 2006.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(c). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Commissioner may require additional information. See MPEP 711.03(c)(III)(C) and (D). The instant petition lack(s) item(s) (2).

The fee for a Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) is \$750 (small entity). Petitioner submitted \$700 with the petition on August 22, 2006. Therefore, this application cannot be revived until the \$50 balance is received.


Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITIONS
 Commissioner for Patents
 Post Office Box 1450
 Alexandria, VA 22313-1450

By hand: Customer Service Window
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

By facsimile: (571) 273-8300
 ATTN: Office of Petitions

Telephone inquiries concerning this decision should be directed to the undersigned at
(571) 272-3210.


Irvin Dingle
Petitions Examiner
Office of Petitions